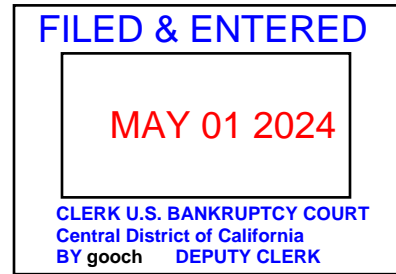


1 D. EDWARD HAYS, #162507
ehays@marshackhays.com
2 TINHO MANG, #322146
tmang@marshackhays.com
3 MARSHACK HAYS WOOD LLP
4 870 Roosevelt
Irvine, California 92620
5 Telephone: (949) 333-7777
Facsimile: (949) 333-7778
6 Attorneys for Chapter 7 Trustee,
7 ARTURO M. CISNEROS



8 UNITED STATES BANKRUPTCY COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 RIVERSIDE DIVISION

11
12 In re:
13 SHAMICKA LAWRENCE,
14 Debtor.

Case No. 6:23-bk-15163-WJ
CHAPTER 7

**ORDER GRANTING CHAPTER 7
TRUSTEE'S MOTION TO COMPEL
TURNOVER OF REAL PROPERTY**

Hearing:
Date: April 30, 2024
Time: 1:00 p.m.
Ctrm: 304

1 On April 30, 2024, at 1:00 p.m., the Court conducted a hearing regarding the motion of
2 Arturo M. Cisneros, the chapter 7 trustee ("Trustee") for the bankruptcy estate of Shamicka
3 Lawrence ("Debtor"), filed on April 9, 2024 as docket #61 ("Motion") seeking an order compelling
4 turnover of the real property commonly known as 11364 Estates Court, Riverside, CA. Marc
5 Lieberman appeared on behalf of the Debtor. Tinho Mang appeared on behalf of the Trustee, who
6 was also present in the courtroom.

7 The Court having read and considered the Motion, the opposition and declarations filed by
8 the debtor [docket #70], the Trustee's reply [docket #72], the statements and arguments on the
9 record and good cause appearing, hereby ORDERS as follows:

10 1. The Motion is granted as modified on the record. The Debtor shall vacate the real
11 property commonly known as 11364 Estates Court, Riverside, CA ("Property") no later than
12 May 31, 2024. The Property shall be left in broom-swept condition. The Debtor shall remove from
13 the Property all occupants, all personal property, rubbish, and debris except as provided herein.
14 Debtor shall not remove any fixtures from the Property.

15 2. The Trustee has the right to possession of any and all items of personal property
16 constituting property of the estate, irrespective of any claim of exemption on such assets. By May 7,
17 2024, the Trustee may provide to the Debtor a written list of items which shall be turned over to the
18 Trustee, in one of the following methods (a) the Debtor may leave such items at the Property when
19 she vacates the Property or (b) the Debtor may surrender possession of such items to the Trustee. If
20 the Trustee agrees in writing to some other method of turnover, the Debtor may effectuate such
21 agreed-upon method of turnover.


22 3. This order is enforceable pursuant to Local Bankruptcy Rule 7064-1(e). If the Debtor
23 fails to vacate the Property by May 31, 2024, the United States Marshals Service is authorized to
24 effectuate an eviction of the Debtor and deliver possession of the Property to Trustee or his agents.
25 The Trustee is entitled to seek enforcement of this order by issuance of a writ of assistance to the
26 Marshals.

4. The United States Marshals Service is directed to assist the Trustee to enforce this order awarding possession. The Trustee and his authorized agent(s) will act as substitute custodian of any and all items of personal property seized pursuant to this order and the U.S. Marshal shall have no liability arising from any acts, incidents, or occurrences in connection with the seizure of the personal property located at the subject real property arising in the ordinary authorized scope of duties of the U.S. Marshal (which acts do not include acts arising from negligent or intentional tortious conduct), including any third party claims and the U.S. Marshal shall be discharged of his or her duties and responsibilities for safekeeping of the seized goods. The U.S. Marshal accomplishing such eviction or seizure shall use whatever reasonable force necessary to break open and enter the subject real property regardless of whether the premises or location is locked or unlocked, occupied or unoccupied and to inspect the contents of any room, closet, cabinet, vehicle, container, desk or documents. Anyone interfering with the execution of this order is subject to arrest by law enforcement officials.

IT IS SO ORDERED.

###

Date: May 1, 2024


Wayne Johnson
United States Bankruptcy Judge